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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/776,102	02/12/2004	Walter William Stumberger		2830

7590 11/16/2005
Walter W. Stumberger
203 Dutch Neck Road
Hightstown, NJ 08520

EXAMINER

KITOV, ZEEV

ART UNIT	PAPER NUMBER
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2836

DATE MAILED: 11/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/776,102

Applicant(s)

STUMBERGER, WALTER
WILLIAM

Examiner

Zeev Kitov

Art Unit

2836

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 - 3 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 - 3 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Objection

Claims 1 – 3 are objected, since they are presented not according to MPEP requirements (see below).

608.01(m) [R-2] Form of Claims

The claim or claims must commence on a separate physical sheet or electronic page and should appear after the detailed description of the invention. Any sheet including a claim or portion of a claim may not contain any other parts of the application or other material. While there is no set statutory form for claims, the present Office practice is to insist that each claim must be the object of a sentence starting with "I (or we) claim," "The invention claimed is" (or the equivalent). Each claim begins with a capital letter and ends with a period. Periods may not be used elsewhere in the claims except for abbreviations. See *Fressola v. Manbeck*, 36 USPQ2d 1211 (D.D.C. 1995). Where a claim sets forth a plurality of elements or steps, each element or step of the claim should be separated by a line indentation, 37 CFR 1.75(i).

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 2 and 3 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter, which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. A reason for that is in following limitation: "create low pressure environments inside convenient segments of dielectric and non-dielectric conduits". The non-dielectric conduits have not been described in the Specification such to give an idea about a meaning of that term. It is supposedly pipes of some conductive material (metal). However, a presence of the conductive conduits contradicts the main concept of the invention, i.e. prevention of propagation of the "localized power surges through power distribution system to the sensitive end-point". For purpose of examination, patentable weight is not given to this limitation.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over McGinn (US 5,289,106) in view of Kalb (4,030,296). Regarding Claim 1, McGinn discloses following elements: a system for continuous distribution of electrical power with physical

isolation and electrical insulation between an input power source. Energy from an input device (electrical power supply) is applied to a torque converter (air compressor, element 24 in Fig. 1, col. 3, lines 21 – 25), which continuously moves a dielectric transfer medium, air or compressed gas (col. 2, lines 3 – 4), through conduit, plastic pipes (col. 2, lines 12 – 13), to a remote torque converter and the remote torque converters being attached to an electrical generating device providing electrical power (col. 3, lines 11 – 50). Both pipes are preferably made of plastic (col. 2, lines 12 – 13) and the conduit carries a compressed air (col. 2, line 1). However, its dielectric fluid is the air. Kalb discloses the power transmission system, wherein the power is transmitted by the oil pumped through the conduits (22 and 14) by the pumps (3 and 4). Both references have the same problem solving area, namely providing the power transmission system based on pumping the fluid through conduits to drive mechanical to electrical energy converter (13). Machine oil has the relative dielectric constant higher than the air (2 – 4 compared to 1 of the air), and therefore is the material that inhibits the propagation of electricity or electromagnetic waves more than the ambient air. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the McGinn solution by changing the fluid from the air to the machine oil, according to Kalb, because as Kalb states (col. 1, lines 55 – 62), the system also provides the oil supply to the bearings.

Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over McGinn in view of Kalb, Helbling (US 3,953,787). As per Claim 2, it differs from Claim 1, rejected

accordingly by its requirement of having a plurality of transmitting torque converters and plurality of receiving torque converters connected in parallel or in series connections. Helbling discloses a system of transmitting torque converters connected in parallel (elements 1A, 1B, 1C and 3A and other pumps below 3A in Fig. 1, col. 2, line 12 – col. 3, line 17). It further discloses a plurality of convenient segments of dielectric conduits (elements 1A, 1B, 1C and 3A and other pumps below 3A in Fig. 1, col. 2, line 12 – col. 3, line 17) connected to a remote torque converter (17 in Fig. 1), which drives electric generating device (19 in Fig. 1).

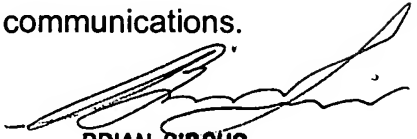
Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have further the McGinn modified solution by adding additional transmitting and receiving torque converters, because as well known in the art, both parallel and series connection for power transmitting sources and power receiving elements (loads) is common in the Electrical Engineering. Additionally, parallel connection of the transmitting torque converters increases general reliability of the system and can be used for start-up arrangements (col. 2, lines 13 – 20 of Helbling).

Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over McGinn in view of Helbling and Asano et al. (US 5,419,128). As per Claim 3, it differs from Claim 2 rejected above, by its limitation of creating low-pressure environment inside dielectric conduits. Asano et al. disclose the hydraulic system, wherein in normal driving conditions (no brake is applied) the pump (P in Fig. 1) creates the low-pressure environment in the upper conduit segment (Lb in Fig. 1) and high-pressure in the bottom

conduit segment (La in Fig. 1) (col. 6, lines 28 – 42). Both references have the same problem solving area, namely providing the power transmission using a flow of a fluid matter through conduits. In the McGinn system modified according to Helbling and Asano et al., the low-pressure environment will attract ambient air through a remote torque converter. Hydraulic power transmission systems the low-pressure and high-pressure environments in the supply and return segments of the hydraulic closed circuit are complimentary. Accordingly, the low-pressure environment must exist in the McGinn system, otherwise, if only high-pressure or only low-pressure present, it is a sign that the flow of the conduit through the segments is impaired. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have further modified the McGinn solution by creating the low-pressure environment inside the convenient segment, because as is seen from Asano disclosure (col. 6, lines 28 – 54), the low-pressure and high-pressure environments in the supply and return segments of the hydraulic closed circuit are complimentary.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Zeev Kitov whose current telephone number is (571) 272 - 2052. The examiner can normally be reached on 8:00 – 4:30. If attempts to reach examiner by telephone are unsuccessful, the examiner's supervisor, Brian Sircus can be reached on (571) 272 – 2800, Ext. 36. The fax phone number for organization where this application or proceedings is assigned is (571) 273-8300 for all communications.


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